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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

CPATANK, INC., an Illinois corporation,

VITO GLAZERS, individually and as an officer
of CPATank, Inc.,

EAGLE WEB ASSETS, INC., an Illinois
Corporation, and

RYAN EAGLE, individually and as an officer of
Eagle Web Assets, Inc.,

Defendants.

FILED UNDER SEAL

Case No. 14-cv-1239

Judge Milton I. Shadur

**PLAINTIFF'S *EX PARTE* MOTION FOR TEMPORARY RESTRAINING ORDER
CONTAINING ASSET FREEZE AND LIMITED EXPEDITED DISCOVERY, AND
ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT
ISSUE**

Pursuant to Section 13(b) of the Federal Trade Commission Act, as amended, 15 U.S.C. § 53(b), and Rule 65(b) of the Federal Rules of Civil Procedure, the Plaintiff Federal Trade Commission ("FTC") hereby moves this Court for an *ex parte* temporary restraining order containing an asset freeze and limited expedited discovery against Defendant Vito Glazers ("TRO"), and an order to show cause why a preliminary injunction should not issue. As fully described in the FTC's supporting memorandum, documents, and exhibits, the FTC is likely to prevail in its Motion to Lift Partial Suspension of Judgment ("Suspension Motion") and the

equities weigh strongly in favor of entry of the TRO.¹ Without an asset freeze and limited expedited discovery, or if notice were given to Glazers before the entry of the TRO, Glazers is likely to conceal or dissipate assets and frustrate the FTC's ability to recover if it ultimately prevails on its Suspension Motion. For those reasons, the interests of justice favor entry of the attached proposed TRO *ex parte*.

Dated: October 12, 2016

Respectfully submitted,

/s/ Colin D. A. MacDonald
COLIN D. A. MACDONALD*
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* Colin D. A. MacDonald is not a member of the Bar of this Court. His application for admission *pro hac vice* is filed contemporaneously with this motion. Steven M. Wernikoff is a member of the Trial Bar of this Court and James H. Davis is a member of the Bar of this Court.

¹ For the reasons discussed in the memorandum in support of this motion, as well as the certification of counsel pursuant to Fed. R. Civ. P. 65(b)(1)(B) and Local Rule 5.5(d), the FTC treats this motion as an emergency motion for the purposes of Local Rule 5.3, and has not provided notice to Glazers regarding this motion. Glazers's misstatements about his assets on a sworn financial statement indicate that he is willing to mislead the government about his assets. Thus, the entry of a temporary restraining order before notifying Glazers is vital to ensuring the Commission is able to collect the full judgment if the Court grants the FTC's motion to lift the partial suspension of the judgment against Glazers in this matter.